

1  
2  
3  
4 **UNITED STATES DISTRICT COURT**  
5 **DISTRICT OF NEVADA**  
6

7 UNITED STATES OF AMERICA,

8 Plaintiff,

9 vs.

10 DJEREN XUEREB,

11 Defendant.  
12

Case No. 2:12-cr-00407-PMP-PAL

**ORDER**

(Mot. Reconsider Det. Ord. - Dkt. #25)

13 This matter is before the court on Defendant Djeran Xuereb's Motion to Reconsider Detention  
14 Order (Dkt. #25) filed December 21, 2012. The government filed a Response (Dkt. #27) January 7,  
15 2013.

16 The Defendant made an initial appearance on a complaint in this case on October 26, 2012,  
17 before the Honorable Robert J. Johnston, Magistrate Judge. Judge Johnston has recently retired, and  
18 this matter was referred to the undersigned by the district judge. Judge Johnston ordered the Defendant  
19 detained and remanded to custody. At his initial appearance, the office of the Federal Public Defender  
20 was assigned as counsel of record. Xuereb was subsequently indicted and appeared for an arraignment  
21 and plea on November 9, 2012. At the arraignment and plea defense counsel, George Trejo, advised  
22 the court that he would be making an appearance in this case. The verified petition for permission to  
23 practice pro hac vice and designation of local counsel were approved by the district judge in an Order  
24 (Dkt. #20) entered November 9, 2012.

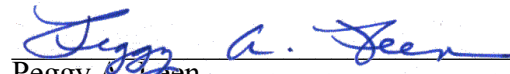
25 The current motion, which is supported by the declaration of counsel, requests that the  
26 Defendant be interviewed by Pretrial Services. Counsel represents that the Defendant was not  
27 previously interviewed by Pretrial Services based on the advice of prior counsel. The government filed  
28 a Response (Dkt. #27) stating the government does not oppose the Defendant's request that Pretrial

1 Services interview the Defendant and prepare a pretrial services report to assist defense counsel in  
2 determining whether sufficient basis exists to seek to reopen the detention hearing. However, while  
3 agreeing the defendant should be interviewed the government takes no position that reopening detention  
4 is appropriate. Having reviewed and considered the matter,

5 **IT IS ORDERED** that:

- 6 1. Defendant's Motion to Reconsider Detention Order (Dkt. #25) is **GRANTED** to the  
7 extent that Pretrial Services shall interview the Defendant and prepare a bail report.
- 8 2. A hearing on Defendant's Motion to Reconsider Detention Order is set for **9:30 a.m.,**  
9 **January 18, 2013, in Courtroom 3B.**

10 Dated this 8th day of January, 2013.

11  
12   
13 Peggy A. Zeen  
14 United States Magistrate Judge  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28